

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff

NO. CR20-065-JLR

v.

JOSE CONCEPCION RUIZ-CHAVEZ,  
Defendant.

**DISCOVERY PROTECTIVE ORDER**

This matter comes before the Court on a Joint Motion for Entry of a Discovery Protective Order, and, finding good cause, the Court hereby enters the following:

**DISCOVERY PROTECTIVE ORDER**

**A. Definitions**

As used in this Order, the term “Protected Information” means any date of birth, place of birth, Social Security number, driver’s license number, bank account number, credit card number, personal identification number, address, telephone number, name and/or location of employment, victim identity, and/or any other similar information or number implicating a privacy interest of and belonging to a third-party individual, business, partnership, or corporation.

1 As used in this Order, the term “Protected Material” means any document or other  
2 record containing or reflecting Protected Information.

3 **B. Permissible Disclosure of Protected Information and Protected Material**

4 The United States will make available copies of the Protected Material to defense  
5 counsel to comply with the government’s discovery obligations. Possession of the  
6 Protected Material is limited to defense counsel, his investigators, paralegals, assistants,  
7 law clerks, experts, and assistants for the attorney of record (“members of the defense  
8 team”).

9 Defense attorneys of record and members of the defense team may display and  
10 review the Protected Material with the Defendant, but may not provide a copy of the  
11 Protected Material directly to the Defendant or allow him to keep and maintain it in his  
12 possession. Defense counsel and/or the defense team may, however, provide an electronic  
13 copy of the Protected Material to the Education Department of the Federal Detention  
14 Center – SeaTac (“FDC-SeaTac”), along with an executed copy of the FDC-SeaTac’s  
15 Electronic Discovery and Legal Material Authorization Form. The Defendant may then  
16 review that electronic copy of the Protected Material in the Education Department of the  
17 FDC-SeaTac pursuant to its policies and procedures, but the Defendant will not be  
18 permitted to have a copy of any Protected Material in his cell. Notwithstanding the terms  
19 of this Order, Defendant may possess documents from which all Protected Information  
20 has been redacted.

21 Members of the defense team may review or discuss the contents of documents  
22 containing Protected Material with any prospective witness, as long as they do not share  
23 the unredacted documents, or share any Protected Information with any prospective  
24 witness.

25 **C. Filing**

26 Any Protected Material that is filed with the Court in connection with pre-trial  
27 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and  
28

1 shall remain sealed until otherwise ordered by this Court. This does not entitle either  
2 party to seal their filings as a matter of course. The parties are required to comply in all  
3 respects to the relevant local and federal rules of criminal procedure pertaining to the  
4 sealing of court documents.

5 **D. Consent to Terms of Protective Order**

6 The attorney of record for the Defendant is required, prior to disseminating any  
7 copies of the Protected Material to permitted recipients, such as other members of the  
8 defense teams, to provide a copy of this Protective Order to those permitted recipients,  
9 and to obtain the written consent by those recipients of the terms and conditions of this  
10 Protective Order. This written consent shall not, however, be required for members of  
11 the defense team who are employed by the same office as the attorney of record. For  
12 those member of the defense team, it shall be sufficient for the attorney of record to  
13 provide a copy of this Protective Order to those members and to remind them of their  
14 obligations under the Order. The written consent need not be disclosed or produced to  
15 the United States unless requested by the United States Attorney's Office for the Western  
16 District of Washington and ordered by the Court.

17 **E. Parties' Reciprocal Discovery Obligations**

18 Nothing in this order should be construed as imposing any discovery obligations  
19 on the government or the defendant that are different from those imposed by case law and  
20 Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

21 **F. Modification**

22 The parties agree that this Protective Order may be modified, as necessary, by  
23 filing with the Court a Stipulated Order Modifying the Protective Order, or by other order  
24 of the Court.

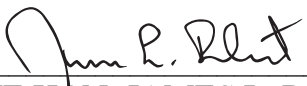
25 **G. Nontermination**

26 The provisions of this Order shall not terminate at the conclusion of this  
27 prosecution. The provisions of this Order shall terminate only by court order.

1 **H. Violation of Protective Order**

2 The defendant is on notice that should he violate the terms of the protection order,  
3 the United States reserves the right to seek appropriate relief from the Court.

4  
5 DATED this 7th day of May, 2020.

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8   
9 THE HON. JAMES L. ROBART  
10 United States District Court Judge

11  
12 Presented by:

13  
14 /s Michelle Jensen  
15 DONALD M. RENO, JR.  
16 MICHELLE JENSEN  
17 Assistant United States Attorney

18  
19 /s Gregory Geist  
20 GREGORY GEIST  
21 Assistant Federal Public Defender  
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